R E M A R K S

An Office Action was mailed on September 6, 2006. Claims 1-15 are pending.

Background

By way of background, Applicant respectfully notes that the present system provides improved techniques for generating recommendations for users of portable computers, personal digital assistants (PDAs), wireless telephones or other data processing devices (see Applicant's specification on page 3, lines 15-18). In accordance with one aspect of the invention, a recommender system receives an input representative of an offer or other opportunity, and one or more user-specified limiting factors. The recommender system generates the recommendation based at least in part on the input and a stored profile associated with the processing device. A characteristic of the manner in which the recommendation is generated is determined in accordance with the one or more limiting factors. For example, the limiting factors may specify a limit on an amount of time that may be spent by the recommender system in generating the recommendation, a limit on an amount of power consumption utilized in conjunction with generating the recommendation, or a limit on a quality measure associated with the recommendation. A given limiting factor may be selectable by the user as one of a plurality of points along a visual display scale from a low level of the limiting factor to a high level of the limiting factor. (see Applicant's specification, paragraph bridging pages 3-4)

In accordance with another aspect of the invention, the recommender system also preferably generates a ripeness indicator associated with the recommendation, the ripeness indicator being indicative of the manner in which the recommendation was generated, based on the above-noted limiting factors. (see Applicant's specification, page 4, lines 5-9).

The limiting factors represent user-specified limits on various characteristics of the recommendation-generating process implemented in the recommender system. The recommender system processes the input in accordance with the specified limiting factors to generate a recommendation. Unlike a conventional recommendation, the recommendation is generated in a manner consistent with the user-specified limiting factors. As a result, the

recommender system avoids the previously-described problems associated with conventional recommendation systems. (see Applicant's specification, page 6, line 28 through page 7, 9).

Recommendations generated in accordance with the present system are limited by pre-defined, user-selectable factors that modify the recommendation-generating process. These limiting factors are defined independently of the content of the input or the content of recommended output. In other words, processing time (FIG. 4), battery time (FIG. 5) and the like are factors that are not part of the recommendation output generated by the present system in response to a particular input. Instead, these factors limit the process by which the recommendation generator operates based on a given input. Thus, the efficiency and effectiveness, or lack thereof, of the recommendation generator, based on a given input, is controllable or limitable at the outset by the user, while the ripeness indicator is provided to illustrate the manner by which the recommendation generator is limited by such factors. (see Applicant's specification on page 10, line 13 through page 11, line 8).

This background discussion is only presented to summarize different aspects of Applicant's disclosure, and should not be considered as limiting the claims in any way.

Rejections

Claims 1, 14 and 15 are rejected under 35 U.S.C. §112, first and second paragraphs. Responsive thereto, Applicant has removed the objectionable negative limitation, thus obviating the rejections under 35 U.S.C. §112.

Claims 1, 5, 8 and 10-15 are rejected under 35 U.S.C. §102(e) as being anticipated by Kramer et al. (U.S. Patent 6,327,574). Claims 2 and 9 are rejected under 35 U.S.C. §103(a) as being unpatentable over Kramer et al. in view of Sciammarella et al. (U.S. Patent 5,982,369), while claims 3 and 4 are rejected under 35 U.S.C. §103(a) as being unpatentable over Kramer et al. in view of Sciammarella et al. (U.S. Patent 5,982,369) and further in view of Official Notice. Finally, Claims 6 and 7 are rejected under 35 U.S.C. §103(a) as being unpatentable over Kramer et al. in view of Shaw. Reconsideration is requested in view of the amendments and arguments submitted herewith.

Claim 1 recites at least one element or limitation not taught or suggested by the cited reference(s). In particular, Claim 1 recites "pre-defining one or more user-selectable limiting factors in a recommender system that limit characteristics of a recommendation-generating process implemented in the recommender system." Claim 1 further recites "receiving an input in the recommender system and processing the input in the recommender system in accordance with the one or more pre-defined, user-selectable limiting factors." Thus, the recommendation-generating process receives the input, whereby the process is implemented in view of the input and pre-defined limiting factors. In Kramer et al. '574, the alleged user-selectable limiting factors are not pre-defined as clearly set forth in the discussion of the content rotator 1410 and illumination sorter 816. In Kramer et al., the recommended output is limited by and dependent on the input, but the input does not limit the **operation** by which recommendation-generating **process** proceeds as set forth in the instant application. This is evident by Kramer et al.'s discussion of a "top 20 children's books" input and output, which results in a <u>sorted output</u> or result and which does not affect or similarly limit the recommendation-generating **process** factors based on <u>pre-defined</u>, limiting criteria. In such example in Kramer et al. '574, the input dictates the output, and the output would not vary based on any alleged process-limiting factors. In the present case, however, the output could change based on a given input and dependent on process-limiting factors, such as, taking FIG. 6 for example, if the user is looking for an instant recommendation or a recommendation that most closely resembles an optimal solution (see, for example, Applicant's specification on page 9, lines 10-24), wherein the output would differ depending on the process-based level of recommendation. Thus, Kramer et al. '574 fails to teach or reasonably suggest "pre-defining one or more user-selectable limiting factors in a recommender system that limit characteristics of a recommendation-generating process implemented in the recommender system" and "receiving an input in the recommender system and processing the input in the recommender system in accordance with the one or more pre-defined, user-selectable limiting factors," as claimed.

Accordingly, Applicant respectfully submits that claim 1 and the claims dependent thereon are not anticipated by Kramer et al. '574, and respectfully requests withdrawal of all

rejections based on Kramer et al. '574 as the primary reference. New claims 14 and 16 are believed to be allowable for similar reasons, as Kramer et al. '574 fails to teach or reasonably suggest an apparatus for use in generating a recommendation in a processing device of an information processing system, the apparatus comprising a processor being operative to process an input and one or more limiting factors in an implementation of a recommender system, the one or more limiting factors being pre-defined and selectable by a user of the device prior to the processor processing the input, the one or more limiting factors defining one or more characteristics of a recommendation-generating process implemented in the recommender system, as claimed.

New claims 17-20 recite a method for use in an information processing system for generating a recommendation at a processing device, the method comprising receiving an input in a recommender system from a source separate from the processing device, the recommender system operating on a recommendation-generating process; processing the input in the recommender system in accordance with one or more pre-defined, user-selectable factors that limit characteristics of the recommendation-generating process; generating an output recommendation based on the processed input; and generating a ripeness indicator associated with the one or more pre-defined, user-selectable limiting factors. Support for such claim is provided in the originally-filed specification and drawings, and in particular the discussion of the ripeness indicator 700 and Figures 4-7 and the discussion related thereto. Applicant respectfully submits that the prior art fails to teach or reasonably suggest such method, and in particular where a ripeness indicator is generated that is associated with one or more pre-defined, user-selectable limiting factors.

An earnest effort has been made to be fully responsive to the Examiner's objections. In view of the above amendments and remarks, it is believed that claims 1-14 and 16-20 are in condition for allowance. Passage of this case to allowance is earnestly solicited. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper, not already paid through an EFS-Web filing, may be charged to Deposit Account No. 50-3894. Any overpayment may be credited to Deposit Account No. 50-3894.

Respectfully submitted,

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